



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

AGENDA

November 19, 2007

Commissioner David Lillard, Chairman
Commissioner Deidre Malone, Chairman Pro Tempore
Commissioner Joyce Avery
Commissioner Henri E. Brooks
Commissioner Wyatt Bunker
Commissioner Mike Carpenter
Commissioner Sidney Chism

Commissioner George Flinn
Commissioner Joe Ford
Commissioner J.W. Gibson II
Commissioner James Harvey
Commissioner Steve Mulroy
Commissioner Mike Ritz

11/15/2007 4:24 PM

1:30 P.M. COMMISSION CONVENES

CALL TO ORDER Chairman David Lillard

OPENING OF THE COMMISSION Deputy Sheriff

INVOCATION Dr. Noel Hutchinson, Pastor
First Baptist Church Lauderdale

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Session

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

Ordinances

- RITZ**
- Chairman, Land Use Committee
1. **ORDINANCE – FIRST READING** – A joint ordinance (STA 07-001 CC) amending the Memphis and Shelby County Subdivision regulations, adopted by the Shelby County Board of Commissioners and the City Council of the City of Memphis on December 19, 1983, being ordinance and resolution No. 3352, so as to make certain changes therein by revising the requirements by providing high intensity soil maps prior to approval of preliminary plans for lots where public sewer is not available. Sponsored by Commissioner Mike Ritz.
(Amended in committee and deferred to 12/3/07)

CHISM

Chairman, Law Enforcement
Committee

2. **ORDINANCE - SECOND READING** - An ordinance to amend ordinance No. 342 entitled “an ordinance to amend the Shelby County Code of Ordinances, Chapter 20, Article III, Section 20-37 Relative to compliance with Tennessee’s Financial Responsibility Law of 1977.” Sponsored by Commissioner Wyatt Bunker.

Zoning and Subdivisions

RITZ

Chairman, Land Use
Committee

3. **Resolution approving various subdivision items, plats, extensions, etc. as recommended by the County Engineer.**
- a. Resolution to release the bond that secured the improvements to Fountain Brook P.D. Phase 1 (P.D. 04-370 CC)
 - b. Resolution to release the bond that secured the improvements to Fountain Brook P.D. Phase 2 (P.D. 04-370 CC)
 - c. Resolution to release the bond that secured the improvements to LaGrange Commons P.D. (P.D. 05-311 CC)
(Deferred to 12/3/07)
 - d. Resolution to approve the agreement to secure the improvements to Woodland Trails PD, Phase 4, part of Parcel A & C (P.D. 97-356 CC) and to authorize the recording of the plat when bonding procedures have been fulfilled.

Reports and/or Resolutions for Standing Committees

MALONE

Chairman, Budget
Committee

4. **Resolution approving a contract in the amount of \$103,264.00 for the purchase of and Ansul Sapphire Fire detection and suppression system for the protection of the County’s telephone and phone switches located at 6470 Haley Rd., 1075 Mullins Station, 201 Poplar, and 814 Jefferson Ave. This item requires expenditure of county general funds in the amount of \$103,264.00. Sponsored by Commissioner Deidre Malone.**

MALONE

Chairman, Budget
Committee

5. **Resolution approving the amendment to the contract with Tyler Technologies, Inc./CLT Division for creation of a custom respond report to add necessary functionality to the Lasworld System in the amount of \$6,000.00 and appropriating said amount for FY2007/2008 Operating Budget of the Shelby County Assessor. This item requires expenditure of county general funds in the amount of \$6,000.00. Sponsored by Commissioner Joe Ford.**

MALONE

Chairman, Budget
Committee

6. **Resolution receiving and filing a resolution adopted by the Shelby County Public Records Commission entitled "Resolution amending a resolution entitled 'Resolution for Public Records Commission adopted by the Public Records Commission on June 13, 1995 establishing a standardized copy fee'". Sponsored by Commissioner Joe Ford. **(Deferred to 12/3/07)****

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| AVERY
Chairman, Hospitals and Health Committee | 7. | Resolution approving an amendment to the operating budget of the Tenndercare Outreach Program in the amount of \$123,000 and an amendment to the position control budget, and this item requires the expenditure of pass thru grant funds under the Tenndercare grant in the amount of \$123,000. Sponsored by Commissioner Joyce Avery. |
| AVERY | 8. | Resolution amending the Division of Health Services and the Office of Planning and Development's FY 2007-2008 operating budget in the amount of \$1,150,000.00 to reflect the transition of the Congestion Mitigation Air Quality Program from OPD to the Health Department, and this item requires the expenditure of federal thru state grant funds in the amount of \$1,150,000.00. Sponsored by Commissioner Joyce Avery. |
| AVERY | 9. | Resolution requesting approval to amend the operating budget of the NACCHO Grant Program in the amount of \$5,000 carried forward from FY 2006-2007 operating budget, and this item requires the expenditure of federal grant funds under the NACCHO grant in the amount of \$5,000. Resolution Sponsored by Commissioner Joyce Avery. |
| AVERY | 10. | Resolution requesting approval to amend the operating budget of the Breast & Cervical Cancer Grant Program in the amount of \$4,554.00 carried forward from FY2006-2007 operating budget, and this item requires the expenditure of state grant funds under the Breast & Cervical Cancer Grant in the amount of \$4,554. Resolution sponsored by Commissioner Joyce Avery. |
| CHISM | 11. | Resolution amending the FY 2007/2008 operating budget and authorizing the Shelby County Mayor to execute a grant agreement with the Workforce Investment Network to fund one-half of the salaries for the Shelby County Sheriff's Office correction deputies while in training in the amount of \$149,864.00. This item requires the expenditure of grant funds. Sponsored by Commissioner Sidney Chism. |
| CHISM | 12. | A resolution approving the expenditure of funds by the Office of Preparedness FY 2007-08 operating budget in the amount of \$128,900.00 to ESI Inc., for WebEOC, a crisis information management software solution, for the Emergency Management Agency (EMA) Emergency Operations Center (EOC) and this item requires the expenditure of pass thru grant funds under the U.S. Department of Homeland Security Grant Programs in the amount of \$ 128,900.00. Sponsored by Commissioner Sidney Chism. (Withdrawn in committee) |

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| RITZ | 13. A resolution in the amount of \$80,000.00 amending the contract between Memphis and Shelby County Division of Planning and Development and the City of Memphis relative to coordination and financial reimbursement of transportation planning activities in the Memphis Urban Area, and this item requires the expenditure of federal thru state grant funds in the amount of \$80,000.00. Sponsored by Commissioner Mike Ritz. |
| RITZ | 14. A resolution amending the Department of Regional Services FY 2007-2008 operating budget in the amount of \$478,487.00 to reflect the acceptance of transportation planning funds received from the Mississippi Department of Transportation for the Memphis Metropolitan Planning Organization, and this item requires the expenditure of federal thru state grant funds in the amount of \$478,487.00. Sponsored by Commissioner Mike Ritz. |
| FLINN | 15. A resolution approving a contract budget amendment in the amount of \$3,856 with the Tennessee Department of Agriculture to allow maximum expenditure of funds from the Commodities Program operating budget and this item requires expenditure of Tennessee Department of Agriculture funds in the amount of \$3,856. Sponsored by Commissioner George Flinn. |
| FLINN | 16. Resolution requesting the Shelby County Administration and the Shelby County Attorney to prepare and present reports to the Shelby County Board of Commissioners relative to the Shelby County Administration's plans regarding Head Start. Sponsored by Commissioner Mike Ritz. (Deferred to 12/3/07) |
| CARPENTER | 17. Resolution approving expenditure of funds in the amount of \$200,000.00 for Shelby County Government's share of the cost for a Master Plan for development of Shelby Farms Park and this item requires expenditure of County CIP funds in the amount of \$200,000.00. Sponsored by Commissioner Mike Carpenter. (Deferred to 12/3/07) |
| FORD | 18. Resolution to amend a resolution entitled "RESOLUTION AMENDING PREVIOUSLY ADOPTED RESOLUTIONS RE-ESTABLISHING THE UNIFIED PERSONNEL POLICY COMMITTEE BY ADDING TWO (2) ADDITIONAL MEMBERS." Sponsored by Commissioner Joe Ford. (Deferred to 12/3/07) |

REGULAR AGENDA

Elections, Appointments, and Confirmations

Ordinances

- RITZ

Chairman, Land Use Committee

19.

ORDINANCE – THIRD READING – A joint ordinance and resolution (ZTA 07-001 CC) amending section 26 (overlay district regulations FP flood plain district) of the Joint Memphis and Shelby County Zoning Ordinance – regulations adopted by the Shelby County Board of Commissioners on October 6, 1980 and the City Council of the City of Memphis on October 7, 1980, being Resolution and Zoning Ordinance No. 3064, as amended to adopt provisions pf Model Flood Plan Management Ordinance. Sponsored by Commissioner Wyatt Bunker.
(Amended in committee 11/14/07)
- RITZ

20.

ORDINANCE – SECOND READING – A Joint Ordinance of the Board of County Commissioners of Shelby County, Tennessee and Council of the City of Memphis enacted pursuant to the Community Redevelopment Act of 1998; providing for the creation of a Redevelopment Trust Fund pursuant to Section 21 of the Act. Ordinance sponsored by Commissioner Deidre Malone.
(Sent from committee without recommendation)

Zoning and Subdivisions

- RITZ

21.

CASE NO. P.D. 07-329 CC – Brian Bacchus, OPD
APPLICANT: Boyle Investment Company

LOCATION: Southeast corner of Bazeberry Road and Forest Hill-Irene Road

REQUEST: Planned development to allow four (4) single family homes with a minimum lot size of 4,000 square feet in area within the outline plan.

Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL WITH CONDITIONS

Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL WITH CONDITIONS

(Notice of public hearing published in the Daily News on Friday, November 9, 2007)

Reports and/or Resolutions for Standing Committees

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| BUNKER | 22. Resolution approving a contract in the amount of \$274,422.00 with Salton Companies, LLC for the provision of window replacement Phase 2 at Peggy Edmiston Administration Building, and this item requires expenditure of county Capital Improvement Funds in the amount of \$274,422.00 from the FY 2007-2008 budget for CIP project number 101710, Office Buildings. Sponsored by Commissioner David Lillard.
<small>(Failed in committee 10/31/07; Deferred in commission meeting on 11/05/07; Deferred 11/19/07 in committee to 12/3/07)</small> |
| FORD | 23. Resolution amending Shelby County Retirement System Plan A to increase optional cash-out amounts with respect to terminated participants and surviving spouses. Sponsored by Commissioner Joe Ford. |
| FORD | 24. Resolution to grant one-time cost of living bonuses in November 2007 to certain Plan B retirees. Sponsored by Commissioner Ford. |
| FORD | 25. Resolution approving the Shelby County Compensation Policy for FY 2007-2008. This resolution is sponsored by Commissioner Henri Brooks. <small>(Deferred to 12/3/07)</small> |
| MULROY | 26. Resolution by the Board of Commissioners of Shelby County, Tennessee, requesting the members of the Tennessee General Assembly to support legislation amending Tennessee Code Annotated, Title 68, Chapter 140, Section 527 relative to paramedic training. Sponsored by Commissioner Steve Mulroy. |
| MULROY | 27. Resolution by the Board of Commissioners of Shelby County, Tennessee, requesting the members of the Tennessee General Assembly to support legislation amending Tennessee Code Annotated, Title 39, Chapter 14; Title 40, Chapter 35; and Title 62, Chapter 9, relative to scrap metal, scrap metal dealers, theft, and criminal trespass. Sponsored by Commissioner Steve Mulroy.
<small>(Deferred to 12/17/07)</small> |
| MULROY | 28. Resolution urging the Shelby County Legislative Delegation to oppose the passage of legislation allowing the establishment of Special School Districts in Shelby County. Sponsored by Commissioner Mike Carpenter.
<small>(Deferred to 12/3/07)</small> |
| MULROY | 29. Resolution by the Board of Commissioners of Shelby County, Tennessee, requesting the members of the Tennessee General Assembly to support the recommendations of the open meetings subcommittee of the Joint Study Subcommittee on Open Government relative to the quorum standard for the open meetings law. Sponsored by Commissioner Steve Mulroy. |

Announcements/Statements

- 30. Notifications from county mayor of various appointments, reappointments to boards, commissions, and offices of Shelby County Government.**
 - a. Resolution approving the county mayor's nomination for appointment of Michelle Sanders and re-appointment of Katy Spurlock, Dorothy Johnson, Susan Ratner, Jose Leon and Bennie Walker as community representatives to the Head Start Policy Council Community Advisory Board. Sponsored by Commissioner Joe Ford.**

Adjournment

- 31. Resolution of Adjournment to Monday, December 3, 2007 at 1:30 p.m.**

[If you have any questions about this agenda, please call Steve Summerall, Chief Administrator, at 545-4301]